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| 09/686,120   | 10/11/2000  | Gilbert Ho Yin Tsang | SNY-P3965                         | 4933             |
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| MILLER PATENT SERVICES<br>2500 DOCKERY LANE<br>RALEIGH, NC 27606 |             |                      |                                   |                  |
|  |             |                      | EXAMINER<br>SALTARELLI, DOMINIC D |                  |
|  |             |                      | ART UNIT<br>2611                  | PAPER NUMBER     |
| DATE MAILED: 07/15/2005  |             |                      |                                   |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/686,120

Applicant(s)

TSANG ET AL.

Examiner

Dominic D. Saltarelli

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-91 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-91 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-91 have been considered but are moot in view of the new grounds of rejection.
2. Additionally, regarding the instances of official notice taken (applicant's remarks, pages 21-22):
  - a. Regarding the use of 10 character ASCII strings, the previous official notice taken is replaced with the new grounds of rejection in view of Caputo.
  - b. Regarding the use of a 30 second interval for transmission of packets, examiner submits DeBettencourt, col. 10, lines 6-8, which supports the examiner's position that it is well known to periodically broadcast information at the convenient interval of every 30 seconds.
  - c. Regarding the use of four-byte integer for codes, examiner submits Bernardini, col. 5, lines 13-15, which supports the examiner's position that it is well known to utilize 4 byte integers as codes.
  - d. Regarding the use of encryption on the Discovery Packet, applicant admitted that data packet encryption is known, and by default, any type of encryption applied to the Discovery Packet is also known, regardless of how the encryption is applied.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 12, 13, 14, 17, 27, 28, 29, 32, 58, 76, 87, 88, and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim et al. (5,884,024, of record) [Lim] in view of Slezak (6,006,257).

Regarding claims 1, 17, 58, 76, and 90, Lim discloses a client system (fig. 1, client system 102, col. 4, lines 47-54) configured with a modem (fig. 1, cable modem 104) and a Main Circuit Board (an inherent feature of computer based client systems), wherein the Main Circuit Board is connected to the modem via an interconnection (as shown by the interconnection between 102 and 104 in fig. 1), wherein the Main Circuit Board determines the IP address of the modem (also an inherent feature, as a client device connected to the modem needs the modem's IP address in order to use the modem to communicate over the Internet), wherein, at the modem:

periodically broadcasting a Discovery Packet over the interconnection from the modem to the Main Circuit Board by addressing the Discovery Packet to a broadcast address that can be received by the Main Circuit Board, the Discovery Packet comprising the IP address of the modem in order to permit the Main Circuit Board to learn the modem's IP address (when both a client device and an attached cable modem are initialized, external modems periodically transmit a "heartbeat" signal over the interconnection which constantly updates the client device regarding the state of the modem, wherein said "heartbeat"

signal includes the most recent IP address assigned to the modem by the DHCP server 110); and at the Main Circuit Board:

monitoring the interconnection for receipt of broadcast Discovery Packets addressed to the broadcast address and receiving the broadcast Discovery Packet addressed to the broadcast address at the Main Circuit Board from the modem over the interconnection and ascertaining the IP address of the modem from the broadcast Discovery Packet (an inherent step regarding receiving the broadcast Discovery Packet).

Lim fails to disclose the client system is a set top box.

In an analogous art, Slezak teaches connecting a set top box to a cable modem, providing Internet access and specialized content to a user via their television (col. 4 line 65 – col. 5 line 10).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Lim to interconnect the modem to a set top box, as taught by Slezak, for the benefit of providing Internet access and specialized content to a user via their television, enhancing functionality to their television systems.

Regarding claims 12, 27, and 87, Lim and Slezak disclose the method and apparatus of claims 1, 17, and 76, but fail to disclose the Discovery Packet is transmitted approximately every 30 seconds.

Examiner takes official notice that it is notoriously well known in the art to perform periodic broadcasts of information every 30 seconds, as this is a convenient time frame for periodic broadcasts.

it would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim and Slezak to transmit the Discovery Packet approximately every 30 seconds, for the benefit of performing the periodic broadcast in a convenient time frame.

Regarding claims 13, 28, and 88, Lim and Slezak disclose the method and apparatus of claims 1, 17, and 76, wherein the modem is a cable modem (Lim, cable modem 104 in fig. 1).

Regarding claims 14 and 29, Lim and Slezak disclose the method and apparatus of claims 1 and 17, wherein the modem further includes a processor that controls functions of the modem and wherein the processor is a device separate from any processor device residing on the Main Circuit Board (an inherent feature, as the modem is a separate, external device to the client system to which it is connected, see Lim, fig. 1).

Regarding claim 32, Lim and Slezak disclose the apparatus of claim 17, wherein the means for periodically transmitting a Discovery Packet inherently includes the use of a programmed processor in the modem, as there are no other

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means available by which packets may be processed and transmitted that do not include programmed processors.

5. Claims 2, 3, 5, 18, 19, 21, 30, 59, 60, 62, 75, 77, 78, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim and Slezak as applied to claims 1, 17, 58, and 76 above, and further in view of Caputo (5,675,831).

Regarding claims 2, 3, 5, 18, 19, 21, 59, 60, 62, 77, 78, and 80, Lim and Slezak disclose the method and apparatus of claims 1, 17, 58, and 76, but fail to disclose the Discovery Packet comprises an authentication code made up of a 10 character ASCII string, wherein the Main Circuit Board, upon receiving the Discovery Packet, inspects the authentication code to assure that the IP address in the Discovery Packet originated at the modem.

In an analogous art, Caputo teaches naming modems using a unique string of characters, wherein said string would consist of 10 characters at the discretion of the developer, allowing a modem to identify itself to connected devices, col. 9, lines 21-32.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim and Slezak to associate a unique string of characters with the modem with which the modem would identify itself, as taught by Caputo, wherein the string would be 10 characters long when the developer decides to make it so, and this string would be included in the

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Discovery Packet so as to identify the modem to the Set Top Box said modem is in communication with.

Regarding claims 30 and 75, Lim and Slezak disclose the apparatus of claims 17 and 58, but fail to disclose the interconnection is a PCI bus interconnection.

In an analogous art, Caputo teaches that any number of known interconnection schemes may be used to connect an external modem to a computer, including the standardized PCI bus (col. 4, lines 38-56).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus of Lim and Slezak to utilize a PCI bus interconnection, as taught by Caputo, incorporating an industry standard and widely known bus for connecting the modem to the Main Circuit Board.

6. Claims 15, 74, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim and Slezak as applied to claims 1, 58, and 76 above, and further in view of Dunn et al. (6,169,795) [Dunn].

Regarding claims 15, 74, and 89 Lim and Slezak disclose the method and apparatus of claims 1, 58, and 76 but fail to disclose the Discovery Packet is communicated using User Datagram Protocol.



In an analogous art, Dunn teaches communicating data using the User Datagram Protocol, a protocol with low transmission overhead (col. 5, lines 15-20).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim and Slezak to communicate the data using the User Datagram Protocol, as taught by Dunn, for the benefit of faster transmission and lowered bandwidth usage associated with the low transmission overhead of said protocol.

7. Claims 7-10, 23-26, 64, and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim and Slezak as applied to claims 1, 17, and 58 above, and further in view of Koperda (5,790,806, of record).

Regarding claims 7, 23, and 64, Lim and Slezak disclose the method and apparatus of claims 1, 17, and 58, but fail to disclose the Discovery Packet further comprises a status code indicative of the running status of the modem.

In an analogous art, Koperda teaches providing status information from a modem to a main circuit (col. 12, lines 13-19), for the benefit of allowing the main circuit to monitor the health and status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim and Slezak to include a status code indicative of the running status of the modem, as taught by Koperda,

for the benefit of allowing the main circuit to monitor the health and status of the modem for enhanced reliability and troubleshooting purposes.

Regarding claims 9, 25, and 26, Lim, Slezak, and Koperda disclose the method and apparatus of claims 7 and 23, but fail to disclose the status code comprises a four-byte integer code representing the running status of the modem.

Examiner takes official notice that it is notoriously well known in the art to utilize 4 byte integers as codes within packets, as this represents a very large number of possible unique codes, providing a very comprehensive selection of codes for transmitting information.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim, Slezak, and Koperda to utilize four byte integer codes representing the running status of the modem, for the benefit of having a wide range of possible status codes available and allowing for very comprehensive reporting of status information.

Regarding claims 8, 10, 24, and 65, Lim, Slezak, and Koperda disclose the method and apparatus of claims 7, 9, 23, and 64, but fail to disclose the status code is encrypted.

The official notice taken that it is notoriously well known in the art to encrypt data packets to enhance security taken by the by examiner was not

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successfully traversed by the applicant, and is thus taken by an admission of the fact presented.

Therefore, it would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus of Lim, Slezak, and Koperda to encrypt the status code, for the benefit of enhancing security.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Koperda as applied to claim 7 above, and further in view of Rahamim et al. (5,764,694, of record) [Rahamim].

Regarding claim 11, Lim, Slezak, and Koperda disclose the method of claim 7, but fail to disclose displaying a status of the modem on a display connected to the Main Circuit Board.

In an analogous art, Rahamim teaches displaying the status of a modem on a display connected to the host computer (col. 4, lines 15-27), for the benefit of providing feedback to a user regarding the status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Lim, Slezak, and Koperda to include displaying a status of the modem on a display connected to the Main Circuit Board, as taught by Rahamim, for the benefit of providing feedback to a user regarding the status of the modem, alerting the user of proper operation and any errors that may occur.

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9. Claims 4, 6, 16, 20, 22, 61, 63, 79, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Caputo as applied to claims 2, 3, 5, 19, 21, 59, 62, 77, and 80 above, and further in view of Blumenau et al. (US 2003/0115324 A1, of record) [Blumenau].

Regarding claims 4, 6, 20, 22, 61, 63, 79, and 81 Lim, Slezak, and Caputo disclose the method and apparatus of claims 3, 5, 19, 21, 59, 62, 77, and 80, but fail to disclose the authentication code is encrypted.

In an analogous art, Blumenau teaches encrypting authentication codes to enhance security (paragraph 52).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus of Lim, Slezak, and Caputo to encrypt the authentication code, for the benefit of enhancing security.

Regarding claim 16, Lim, Slezak, and Caputo disclose the method of claim 2, wherein said cable modem is a network device, wherein said network device periodically broadcasts a Discovery Packet over an interconnection from the network device to the Main Circuit Board, by addressing the Discovery Packet to the broadcast address (as described regarding claim 1), the Discovery Packet comprising the IP address of the network device (for discovery of said IP address) and a signature of the network device (transmissions contain at least an identifier of the sender), and at the Main Circuit Board, monitoring the interconnection for broadcast Discovery Packets addressed to the broadcast

address, receiving the broadcast Discovery Packet addressed to the Main Circuit Board from the network device (as described regarding claim 1) and ascertaining the IP address of the network device from the broadcast Discovery Packet (as described regarding claim 1).

Lim, Slezak, and Caputo fail to disclose authenticating the network device from the network device's signature.

In an analogous art, Blumenau teaches authenticating devices that connect to a second device through the use of signatures (expected identifiers which assure the identities of requesting hosts, paragraph 52), enhancing the security of a system.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Lim, Slezak, and Caputo to include authenticating the network device from the network device's signature, as taught by Blumenau, for the benefit of enhancing security.

10. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim and Slezak as applied to claim 17 above, and further in view of Rahamim.

Regarding claim 31, Lim and Slezak disclose the apparatus of claim 17, but fail to disclose displaying a status of the modem on a display connected to the Main Circuit Board.

In an analogous art, Rahamim teaches displaying the status of a modem on a display connected to the host computer (col. 4, lines 15-27), for the benefit of providing feedback to a user regarding the status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim and Slezak to include displaying a status of the modem on a display connected to the Main Circuit Board, as taught by Rahamim, for the benefit of providing feedback to a user regarding the status of the modem, alerting the user of proper operation and any errors that may occur.

11. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Caputo as applied to claim 18 above, and further in view of Lee (6,005,937, of record) and Blumenau.

Regarding claim 33, Lim, Slezak, and Caputo disclose the apparatus of claim 18, but fail to disclose the apparatus further comprises a network device interconnected with the Main Circuit Board using an interconnection; means, residing within said network device for periodically transmitting a Discovery Packet from said network device to said Main Circuit Board over said interconnection by addressing the Discovery Packet to a broadcast address monitored by the Main Circuit Board; and wherein the Discovery Packet comprises at least an IP address of the network device and a signature, wherein

the Main Circuit Board distinguishes between the modem and the network device by the signature.

In an analogous art, Lee teaches incorporating plural modules into a set top box (col. 4, lines 52-65) including a separately addressable network interface module (fig. 1, data communication module 170, col. 5, lines 40-61) interconnected with the Main Circuit Board (fig. 1, control PCB 110) for enhanced flexibility.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, and Caputo to include a separately addressable network device interconnected with the Main Circuit Board for increasing the flexibility of the set top box by allowing it to connect to another type of network using the network device. The device is separately addressable, and thus has it's own IP address, and conforms to the same form of IP address notification as the modem.

Lim, Slezak, Caputo, and Lee fail to disclose the Main Circuit Board distinguishes between the modem and the network device by the signature.

In an analogous art, Blumenau teaches using identifier information to verify individual devices and discriminate between them (paragraphs 51 and 52) to enhance security.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, Caputo, and Lee to include distinguishing between the modem and network device by the signatures

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provided by each, as taught by Blumenau, for the benefit of enhancing security, for example, by preventing one device from copying another to redirect information in any unauthorized manner.

12. Claims 34, 35, 37, and 91 rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Slezak, DeBettencourt, Caputo, Blumenau, Koperda, Bernardini, and Rahamim.

Regarding claims 34 and 91, Lim discloses a client system (fig. 1, client system 102, col. 4, lines 47-54) configured with a modem (fig. 1, cable modem 104) and a Main Circuit Board having a first processor (an inherent feature of computer based client systems), and interconnected to the modem via an interconnection (as shown by the interconnection between 102 and 104 in fig. 1), wherein the Main Circuit Board monitors the interconnection for packets addressed to a broadcast address (also inherent, else the Main Circuit Board would not receive packets addressed to it);

a second programmed processor, residing within said modem (an inherent feature, as the modem is an external modem, and thus requires its own processor and memory resources), for transmitting a Discovery Packet from said modem to the broadcast address monitored by said Main Circuit Board via said interconnection, wherein the Discovery Packet comprises an IP address of the modem (also an inherent feature, as a client device connected to the modem needs to learn the modem's IP address in order to use the modem to



communicate over the Internet) at intervals (when both a client device and an attached cable modem are initialized, external modems periodically transmit a "heartbeat" signal over the interconnection which constantly updates the client device regarding the state of the modem, wherein said "heartbeat" signal includes the most recent IP address assigned to the modem by the DHCP server 110).

Lim fails to disclose the client system is a set top box, the intervals are approximately 30 seconds, the Discovery Packet includes an encrypted ten character ASCII authentication code, the Main Circuit Board inspects the authentication code to assure that the IP address in the Discovery Packet originated at the modem, the Discovery Packet further comprises a four byte integer status code indicative of a running status of the modem, and a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Slezak teaches connecting a set top box to a cable modem, providing Internet access and specialized content to a user via their television (col. 4 line 65 – col. 5 line 10).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Lim to interconnect the modem to a set top box, as taught by Slezak, for the benefit of providing Internet access and

specialized content to a user via their television, enhancing functionality to their television systems.

Lim and Slezak fail to disclose the intervals are approximately 30 seconds, the Discovery Packet includes an encrypted ten character ASCII authentication code, the Main Circuit Board inspects the authentication code to assure that the IP address in the Discovery Packet originated at the modem, the Discovery Packet further comprises a four byte integer status code indicative of a running status of the modem, and a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, DeBettencourt, teaches that it is well known to periodically broadcast information every 30 seconds (col. 10, lines 6-8).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim and Slezak to transmit the Discovery Packet approximately every 30 seconds, as taught by DeBettencourt, for the benefit of performing the periodic broadcast in a convenient time frame.

Lim, Slezak, and DeBettencourt fail to disclose the Discovery Packet includes an encrypted ten character ASCII authentication code, the Main Circuit Board inspects the authentication code to assure that the IP address in the Discovery Packet originated at the modem, the Discovery Packet further comprises a four byte integer status code indicative of a running status of the modem, and a display, coupled to the Main Circuit Board, displaying the status of

the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Caputo teaches naming modems using a unique string of characters, wherein said string would consist of 10 characters at the discretion of the developer, allowing a modem to identify itself to connected devices, col. 9, lines 21-32.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, and DeBettencourt to associate a unique string of characters with the modem with which the modem would identify itself, as taught by Caputo, wherein the string would be 10 characters long when the developer decides to make it so, and this string would be included in the Discovery Packet so as to identify the modem to the Set Top Box said modem is in communication with.

Lim, Slezak, DeBettencourt, and Caputo fail to disclose encrypting the ten character ASCII authentication code, and the Discovery Packet further comprises a four byte integer status code indicative of a running status of the modem, and a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Blumenau teaches encrypting authentication codes to enhance security (paragraph 52).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method of Lim, Slezak, DeBettencourt, and Caputo to encrypt the authentication code, for the benefit of enhancing security.

Lim, Slezak, DeBettencourt, Caputo, and Blumenau fail to disclose the Discovery Packet further comprises a four byte integer status code indicative of a running status of the modem, and a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Koperda teaches providing status information from a modem to a main circuit (col. 12, lines 13-19), for the benefit of allowing the main circuit to monitor the health and status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, DeBettencourt, Caputo, and Blumenau to include a status code indicative of the running status of the modem, as taught by Koperda, for the benefit of allowing the main circuit to monitor the health and status of the modem for enhanced reliability and troubleshooting purposes.

Lim, Slezak, DeBettencourt, Caputo, Blumenau, and Koperda fail to disclose the status code is a four byte integer, and a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Bernardini, teaches that it is well known to utilize 4 byte integers as codes (col. 5, lines 13-15).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, DeBettencourt, Caputo, Blumenau, and Koperda to utilize four byte integer codes representing the running status of the modem, for the benefit of having a wide range of possible status codes available and allowing for very comprehensive reporting of status information.

Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, and Bernardini fail to disclose a display, coupled to the Main Circuit Board, displaying the status of the modem determined by the Main Circuit Board by reading the four byte integer status code of the Discovery Packet.

In an analogous art, Rahamim teaches displaying the status of a modem on a display connected to the host computer (col. 4, lines 15-27), for the benefit of providing feedback to a user regarding the status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, and Bernardini to include displaying a status of the modem on a display connected to the Main Circuit Board, as taught by Rahamim, for the benefit of providing feedback to a user regarding the status of the modem, alerting the user of proper operation and any errors that may occur.

Regarding claim 35, Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, Bernardini, and Rahamim disclose the apparatus of claim 34, wherein the modem is a cable modem (Lim, fig. 1, cable modem 104).

Regarding claim 37, Caputo additionally discloses using PCI bus interconnections (col. 4, lines 38-56) to connect an external modem to a computer.

13. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, Bernardini, and Rahamim as applied to claim 34 above, and further in view of Dunn.

Regarding claim 36, Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, Bernardini, and Rahamim disclose the apparatus of claim 34, but fail to disclose the Discovery Packet uses User Datagram Protocol.

In an analogous art, Dunn teaches communicating data using the User Datagram Protocol, a protocol with low transmission overhead (col. 5, lines 15-20).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, DeBettencourt, Caputo, Blumenau, Koperda, Bernardini, and Rahamim to communicate the data using the User Datagram Protocol, as taught by Dunn, for the benefit of faster

transmission and lowered bandwidth usage associated with the low transmission overhead of said protocol.

14. Claims 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Slezak and Lee.

Regarding claim 66, Lim discloses a client system (fig. 1, client system 102, col. 4, lines 47-54) configured with a first managed component (fig. 1, cable modem 104) and a Main Circuit Board (an inherent feature of computer based client systems), connected to the first managed component via an interconnection (as shown by the interconnection between 102 and 104 in fig. 1);

means, residing within the first managed component, for periodically transmitting a Discovery Packet to the Main Circuit Board by addressing the Discovery Packet to a broadcast address monitored by said Main Circuit Board via the interconnection (the processor within the modem which performs the creation and transmission of the packet described below);

wherein the Discovery Packet comprises the IP address of the managed component from which is was transmitted in order to permit the Main Circuit Board to learn the managed component's IP address (when both a client device and an attached cable modem are initialized, external modems periodically transmit a "heartbeat" signal over the interconnection which constantly updates the client device regarding the state of the modem, wherein said "heartbeat"

signal includes the most recent IP address assigned to the modem by the DHCP server 110); and at the Main Circuit Board:

Lim fails to disclose the client system is a set top box that also includes a second managed component which also periodically transmits a Discovery Packet containing the second managed component's IP address.

In an analogous art, Slezak teaches connecting a set top box to a cable modem, providing Internet access and specialized content to a user via their television (col. 4 line 65 – col. 5 line 10).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim to interconnect the first managed component to a set top box, as taught by Slezak, for the benefit of providing Internet access and specialized content to a user via their television, enhancing functionality to their television systems.

In an analogous art, Lee teaches incorporating plural modules into a set top box (col. 4, lines 52-65) including a separately addressable network interface module (fig. 1, data communication module 170, col. 5, lines 40-61) interconnected with the Main Circuit Board (fig. 1, control PCB 110) for enhanced flexibility.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim and Slezak to include a second separately addressable network device interconnected with the Main Circuit Board for increasing the flexibility of the set top box by allowing it to connect to



another type of network using the network device. The device is separately addressable, and thus has it's own IP address, and conforms to the same form of IP address notification as the modem.

15. Claims 67 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Lee as applied to claim 66 above, and further in view of Caputo.

Regarding claims 67 and 68, Lim, Slezak, and Lee disclose the apparatus of claim 66, but fail to disclose the Discovery Packet comprises a multiple character ASCII string authentication code which the Main Circuit Board inspects to determine which of the first and second managed components that the IP address in the Discovery Packet corresponds to.

In an analogous art, Caputo teaches naming modems using a unique string of characters, allowing a modem to identify itself to connected devices (col. 9, lines 21-32).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, and Lee to associate a unique string of characters with each of the managed components would identify each managed component, as taught by Caputo, and this string would be included in the Discovery Packet so as to identify the managed component to the Set Top Box said managed component is in communication with.

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16. Claim 69 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, Lee, and Caputo as applied to claim 67 above, and further in view of Blumenau.

Regarding claim 69, Lim, Slezak, Lee, and Caputo disclose the apparatus of claim 67, but fail to disclose the authentication code is encrypted.

In an analogous art, Blumenau teaches encrypting authentication codes to enhance security (paragraph 52).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus of Lim, Slezak, Lee, and Caputo to encrypt the authentication code, as taught by Blumenau, for the benefit of enhancing security.

17. Claims 70 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, Lee, Caputo, and Blumenau as applied to claim 69 above, and further in view of Koperda.

Regarding claim 70, Lim, Slezak, Lee, Caputo, and Blumenau disclose the apparatus of claim 69, but fail to disclose the Discovery Packet further comprises a status code indicative of the running status of the managed component.

In an analogous art, Koperda teaches providing status information from a modem to a main circuit (col. 12, lines 13-19), for the benefit of allowing the main circuit to monitor the health and status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, Lee, Caputo, and

Blumenau to include a status code indicative of the running status of the managed component, as taught by Koperda, for the benefit of allowing the main circuit to monitor the health and status of the modem for enhanced reliability and troubleshooting purposes.

Regarding claim 71, Lim, Slezak, Lee, Caputo, Blumenau, and Koperda disclose the apparatus of claim 70, but fail to disclose the status code is encrypted.

The official notice taken that it is notoriously well known in the art to encrypt data packets to enhance security was not successfully traversed by the applicant and is thus taken as an admission of the fact presented.

Therefore, it would have been obvious at the time to a person of ordinary skill in the art to modify the method of Lim, Slezak, Lee, Caputo, Blumenau, and Koperda to encrypt the status code, for the benefit of enhancing security.

18. Claim 72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Lee as applied to claim 66 above, and further in view of Dunn.

Regarding claim 72, Lim, Slezak, and Lee disclose the apparatus of claim 66, but fail to disclose the Discovery Packet uses User Datagram Protocol.

In an analogous art, Dunn teaches communicating data using the User Datagram Protocol, a protocol with low transmission overhead (col. 5, lines 15-20).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus disclosed by Lim, Slezak, and Lee to communicate the data using the User Datagram Protocol, as taught by Dunn, for the benefit of faster transmission and lowered bandwidth usage associated with the low transmission overhead of said protocol.

19. Claim 73 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Lee, as applied to claim 66 above, and further in view of Caputo.

Regarding claim 73, Lim, Slezak, and Lee disclose the apparatus of claim 66, but fail to disclose the interconnection is a PCI bus interconnection.

In an analogous art, Caputo teaches that any number of known interconnection schemes may be used to connect an external modem to a computer, including the standardized PCI bus (col. 4, lines 38-56).

It would have been obvious at the time to a person of ordinary skill in the art to modify the apparatus of Lim, Slezak, and Lee to utilize a PCI bus interconnection, as taught by Caputo, incorporating an industry standard and widely known bus for connecting the modem to the Main Circuit Board.

20. Claims 82-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, and Caputo as applied to claim 80 above, and further in view of Koperda.

Regarding claim 82, Lim, Slezak, and Caputo disclose the apparatus of claim 80, but fail to disclose the Discovery Packet further comprises a status code indicative of the running status of the modem.

In an analogous art, Koperda teaches providing status information from a modem to a main circuit (col. 12, lines 13-19), for the benefit of allowing the main circuit to monitor the health and status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim, Slezak, and Caputo to include a status code indicative of the running status of the modem, as taught by Koperda, for the benefit of allowing the main circuit to monitor the health and status of the modem for enhanced reliability and troubleshooting purposes.

Regarding claim 83, Lim, Slezak, Caputo, and Koperda disclose the apparatus of claim 82, but fail to disclose the status code is encrypted.

The official notice taken that it is notoriously well known in the art to encrypt data packets to enhance security taken by the by examiner was not successfully traversed by the applicant, and is thus taken by an admission of the fact presented.

Therefore, it would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus of Lim, Slezak, Caputo, and Koperda to encrypt the status code, for the benefit of enhancing security.

Regarding claim 84, Lim, Slezak, Caputo, and Koperda disclose the apparatus of claim 82, but fail to disclose the status code comprises a four byte integer code representing the running status of the modem.

Examiner takes official notice that it is notoriously well known in the art to utilize 4 byte integers as codes within packets, as this represents a very large number of possible unique codes, providing a very comprehensive selection of codes for transmitting information.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus disclosed by Lim, Slezak, Caputo, and Koperda to utilize four byte integer codes representing the running status of the modem, for the benefit of having a wide range of possible status codes available and allowing for very comprehensive reporting of status information.

Regarding claim 85, Lim, Slezak, Caputo, and Koperda disclose the apparatus of claim 84, but fail to disclose the status code is encrypted.

The official notice taken that it is notoriously well known in the art to encrypt data packets to enhance security taken by the by examiner was not successfully traversed by the applicant, and is thus taken by an admission of the fact presented.

Therefore, it would have been obvious at the time to a person of ordinary skill in the art to modify the method and apparatus of Lim, Slezak, Caputo, and Koperda to encrypt the status code, for the benefit of enhancing security.

21. Claim 86 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim, Slezak, Caputo, and Koperda as applied to claim 82 above, and further in view of Rahamim.

Regarding claim 86, Lim, Slezak, Caputo, and Koperda disclose the apparatus of claim 82, but fail to disclose displaying a status of the modem on a display connected to the Main Circuit Board.

In an analogous art, Rahamim teaches displaying the status of a modem on a display connected to the host computer (col. 4, lines 15-27), for the benefit of providing feedback to a user regarding the status of the modem.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Lim, Slezak, Caputo, and Koperda to include displaying a status of the modem on a display connected to the Main Circuit Board, as taught by Rahamim, for the benefit of providing feedback to a user regarding the status of the modem, alerting the user of proper operation and any errors that may occur.

### ***Conclusion***

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hofmann (5,809,076).

23. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

24. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dominic Saltarelli  
Patent Examiner  
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DS

  
**HAITRAN**  
**PRIMARY EXAMINER**